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ATTORNEY'S DOCKET NO. 1095-1068.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Robert V. Norby and René Hunziker

) Examiner:

)

) Group Art Unit: 1725

)

Serial No.: 09/933,527

)

)

Filed: August 20, 2001

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Patent: Rail Welderhead Shear Apparatus

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Commissioner for Patents
Washington, D.C. 20231-9998

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TC 1700

Dear Sir:

SECOND PRELIMINARY AMENDMENTDate of Deposit: January 16, 2002

I hereby certify that this paper or fee is being deposited with the United States Post Office, prepaid first class mail on the date indicated above and is addressed to Commissioner for Patents, Washington, D.C. 20231-9998

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Dear Sir:

SECOND PRELIMINARY AMENDMENT

In the Specification:

The Applicants respectfully submit the following Second Preliminary Amendment and requests examination.

1. Amend the paragraph at Page 6, lines 5 - 8 to read:

Passing through apertures 56 are arm 34 cylinder 50 and pushrod assembly 58. This provides clearance so that cylinder 50 and pushrod assembly 58 can pivot slightly at mount 54 as the end of lever 22 circumscribes an arc as it moves. The shear die set 18 is pushed by plate assemblies 60, 62 on which lever 22 bears through fasteners 46, bearings or bushings 64 and pins 66.